

CLERKS OFFICE U.S. DIST. COURT
 AT DANVILLE, VA
 FILED
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 JULIA C. DUDLEY, CLERK
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UNITED STATES DISTRICT COURT
 FOR THE WESTERN DISTRICT OF VIRGINIA
 DANVILLE DIVISION

MELVIN CLARK, *et al.*,

Plaintiffs,

v.

STANLEY FURNITURE COMPANY,
 LLC, *et al.*,

Defendants.

Civil Action No. 4:20-cv-00063

ORDER

By: Hon. Thomas T. Cullen
 United States District Judge

This matter is before the court on Plaintiffs' motion for summary judgment. For the reasons stated in the accompanying Memorandum Opinion, Plaintiffs' motion for summary judgment is **GRANTED**. Plaintiffs are entitled to any accrued, unpaid deferred compensation owed to them under the Stanley Interiors Corporation Deferred Capital Enhancement Plan ("DCP") and the Supplemental Retirement Plan of Stanley Furniture Company, Inc. ("SERP"). Under 28 U.S.C. § 2201, the court finds that Plaintiffs are entitled to all scheduled future benefits under the DCP and SERP, and that Defendants' non-compliance is not excused under the arguments raised in this proceeding.

This matter is **REFERRED** under Federal Rule of Civil Procedure 72 to the Hon. Robert S. Ballou for proceedings to calculate the amount of deferred compensation currently owed to Plaintiffs based on the grant of summary judgment and preparation of a Report and Recommendation regarding the same. After its review of the Report and Recommendation, the court will enter an additional Order assessing six percent prejudgment interest on the deferred compensation owed.

The clerk is directed to forward a copy of this Order and the accompanying Memorandum Opinion to all counsel of record.

ENTERED this 14th day of October, 2021.

/s/ Thomas T. Cullen

HON. THOMAS T. CULLEN
UNITED STATES DISTRICT JUDGE